

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RANDAL N. WIIDEMAN,
#22306

Plaintiff,

vs.

STATE OF NEVADA, *et al.*,

Defendants.

3:11-cv-00155-ECR-RAM

ORDER

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. The court issued an Order dated May 26, 2011 (docket #11) that dismissed some claims and allowed some claims to proceed. Before the court is plaintiff's motion to amend Screening Order (docket #12). Plaintiff, who has filed several duplicative actions before this court, seeks to raise claims here that he has been directed to raise in 3:11-cv-00174-ECR-RAM. Plaintiff, however, has been granted leave to file an amended complaint in 3:11-cv-00174-ECR-RAM (*see* docket #12 in that case), and he is advised to comply with the court's Orders to set forth any and all access to courts claims in 3:11-cv-00174-ECR-RAM.

The court also notes that another case filed by plaintiff, 3:11-cv-00119-RCJ-RAM, was dismissed as duplicative of this action, and the court directed plaintiff to seek leave to file an amended complaint in this action if he wished to set forth additional allegations related to the twenty-page limit

1 on incoming mail as well as regulations regarding receipt of outside legal publications and other legal
2 materials.

3 Because the above-described events occurred close in time, and in the interest of judicial
4 economy, the court will give plaintiff the opportunity to file a second amended complaint, if necessary,
5 to set forth all claims that he has been directed to bring in this action. Plaintiff is advised to review the
6 Screening Orders in this case (docket #s 8, 11) as well as the orders discussed above. If for any reason
7 plaintiff omitted any claims in his first amended complaint, he has leave to file a second amended
8 complaint. Accordingly, plaintiff has thirty (30) days from the date this Order is entered to file a second
9 amended complaint. If plaintiff elects not to file a second amended complaint, this action will proceed
10 according to the Screening Order dated May 26, 2011 (docket #11).

11 **IT IS THEREFORE ORDERED** that plaintiff's motion to amend Screening Order
12 (docket #12) is **DENIED**.

13 **IT IS FURTHER ORDERED** that plaintiff has **thirty (30) days** from the date that this
14 Order is entered to file his second amended complaint, if any. The second amended complaint must be
15 a complete document in and of itself, and will supersede the original complaint in its entirety. Any
16 allegations, parties, or requests for relief from prior papers that are not carried forward in the second
17 amended complaint will no longer be before the court.

18 **IT IS FURTHER ORDERED** that plaintiff shall clearly title the amended complaint
19 as such by placing the words "SECOND AMENDED" immediately above "Civil Rights Complaint
20 Pursuant to 42 U.S.C. § 1983" on page 1 in the caption, and plaintiff shall place the case number, **3:11-**
21 **CV-00155-ECR-RAM**, above the words "SECOND AMENDED" in the space for "Case No."

22 **IT IS FURTHER ORDERED** that plaintiff is expressly cautioned that if he does not
23 timely file a second amended complaint in compliance with this Order, this action shall proceed in
24 accordance with the Screening Order dated May 26, 2011 (docket #11).

25 **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a blank section 1983
26 civil rights complaint form with instructions along with one copy of the original complaint (docket #9),

1 the first amended complaint (docket #10) as well as one copy of each of the following orders:
2 docket #s 8, 11, and 13.

3 **IT IS FURTHER ORDERED** that the portion of this court's Screening Order dated
4 May 26, 2011 (docket #11) directing defendants to file a response to the first amended complaint within
5 thirty days is **VACATED**. Defendants need not file a response until further order of this court.

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8 DATED this 23rd day of June 2011.

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11 UNITED STATES DISTRICT JUDGE
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